

**Maryland Board of Pharmacy
Public Board Meeting**

**Agenda
January 19, 2022**

| Name | Title | Present | Absent |
|---------------------|------------------------------------|---------|--------|
| Bouyoukas, E | Commissioner | | |
| Evans, K. | Commissioner | | |
| Fink, K. | Commissioner | | |
| Hardesty, J. | Commissioner/President | | |
| Geigher, P. | Commissioner | | |
| Leikach, N. | Commissioner/Treasurer | | |
| Morgan, K. | Commissioner | | |
| Oliver, B | Commissioner | | |
| Rusinko, K. | Commissioner/Secretary | | |
| Singal, S. | Commissioner | | |
| Vasquez, J. | Commissioner | | |
| Yankellow, E. | Commissioner | | |
| | | | |
| Bethman, L. | Board Counsel | | |
| Felter, B. | Board Counsel | | |
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| Speights-Napata, D. | Executive Director | | |
| Green, J. | Acting Deputy Director /Operations | | |
| James, D. | Licensing Manager | | |
| Leak, T. | Compliance Director | | |
| Reed, J. | Legislative Liaison | | |

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| Chew, C. | | Enforcement Compliance Auditor | | |
| I. Executive Committee Report(s) | A.) J. Hardesty, Board President B.)K. Rusinko, Secretary | <p><i>Members of the Board with a conflict of interest relating to any item on the agenda are advised to notify the Board at this time or when the issue is addressed in the agenda.</i></p> <p>1. Call to Order</p> <p>2. Sign-in Introduction and of meeting attendees – <i>(Please indicate on sign-in sheet if you are requesting CE Units for attendance)</i></p> <p>3. Distribution of Agenda and packet materials</p> <p>4. Review and approve November 2021 Public Meeting Minutes</p> | | |
| II. A. Executive Director Report | D. Speights-Napata, Executive Director | 1. | | |
| B. New Business | J. Hardesty, Board President | 1. None | | |
| C. Operations | J. Green, Deputy Director/ Operations | <p>1. Procurement and Budget Updates a:</p> <p>2. Management Information Systems (MIS) Unit Updates a:</p> | | |
| D. Licensing | E. Bouyoukas, | | | |

Commissioner

1. Unit Updates

2. Monthly Statistics

| License Type | New | Renewed | Reinstated | Total |
|------------------------------------|-----|---------|------------|-------|
| Distributor | | | | |
| Pharmacy | | | | |
| Pharmacist | | | | |
| Vaccination | | | | |
| Pharmacy Intern - Graduate | | | | |
| Pharmacy Intern - Student | | | | |
| Pharmacy Technician | | | | |
| Pharmacy Technician- Student | | | | |
| TOTAL | | | | |

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| E. Compliance | T. Leak, Compliance Director | <p>1. Unit Updates</p> <p>2. Monthly Statistics</p> <p>Complaints & Investigations:</p> <p>New Complaints –</p> <ul style="list-style-type: none"> ● Medication Error - ● Employee Pilferage – ● Disciplinary Action in Another State – ● Unprofessional Conduct – ● Dispensing Error – ● Refusal to Fill – ● Customer Service - ● Prior Charges for Criminal Issues/Addictions - ● Inspection Issues – ● NABP VPP Compounding Issues – <p>Resolved (Including Carryover) –</p> <p>Actions within Goal –</p> <p>Final disciplinary actions taken –</p> <p>Summary Actions Taken –</p> <p>Average days to complete –</p> <p>Inspections:</p> <p>Total -</p> <p>Annual Regulatory Inspections -</p> <p>COVID Vaccine Storage Inspections-</p> <p>Narcotic Audit Follow Ups -</p> | |

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| | | Opening Inspections - Closing Inspections - Relocation/Change of Ownership Inspections - Board Special Investigation Inspections – | |
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| F. Legislation & Regulations | J. Reed, Legislative Liaison | <p><u>Regulations</u></p> <p>Proposed COMAR 10.34.41 Administration of a Maintenance Injectable Medication has been signed by the Secretary of Health and submitted to the Division of State Documents for publication in the Maryland Register.</p> <p>Emergency Regulation COMAR 10.34.13.04B Temporary Waiver for Expired Licenses provides for a temporary waiver of certain application requirements during the state of emergency. See the Governor's Executive Order and press release.</p> <p>Emergency Regulation COMAR 10.34.15 Licensure by Reciprocity simplifies or eliminates the administrative burdens for interstate compact or out-of-state healthcare practitioners to practice in Maryland licensed healthcare facilities. See the Governor's Executive Order and press release.</p> <p><u>Legislation</u></p> | F. Legislation & Regulations |
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| | | <p><u>Invited Speaker:</u> Catherine Burdalski Rinaldi, PharmD, BCOP, NCTTP Clinical Pharmacy Specialist, Oncology Johns Hopkins Bayview Medical Center</p> <p><u>Topic:</u> SB62/HB28 Pharmacists - Aids for the Cessation of Tobacco Product Use</p> | |
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| <u>Bill Number</u> | <u>Bill Name</u> | <u>Bill Sponsor(s)</u> | <u>Synopsis</u> | <u>Explanation of Impact (EOL) and Fiscal Estimate Worksheet (FEW)</u> | <u>Position</u> | <u>Notes</u> | <u>Hearing Date</u> |
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| HB0028 SB62 | Pharmacists - Aids for the Cessation of Tobacco Product Use | Delegate Harry Bhandari Delegate Robbyn Lewis Senator Mary Washington | Synopsis not available currently. | EOL (no impact) submitted to OGA on 01/04/2022. | PHARM – <i>LOC</i> <i>HB 28</i> <i>SB 62</i> | | SB 28- January 20 th @ 2 PM |
| HB0112 | Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, Certification, Registration, and Permitting | Delegate Brian Crosby | Synopsis not available currently. | EOL (no impact) submitted to OGA on 01/04/2022. | PHARM – <i>Changed to LOI</i> | HB 225 Veterans Full Employment Act of 2013 is current law and accomplishes the intention of the proposed legislation. See the notice posted on the Board's website. | January 20 th @ 2 PM |
| SB0019 | Pharmacists – Administration | Senator Clarence Lam | Synopsis not | EOL (no impact) | PHARM – | Objective is to change the definition of | |

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| | of Maintenance Injectable Medications – Treatment of Sexually Transmitted Infections | | available currently. | submitted to OGA on 01/04/2022. | changed to LOS | <p>“maintenance injectable medication” to include a sexually transmitted infection.</p> <p>Sen. Lam is a board-certified physician.</p> | |
| SB0077 | Health Occupations Boards – Investigations – Right to Counsel | Senator Chris West | Synopsis not available currently. | EOL (no impact) submitted to OGA on 01/04/2022. | PHARM – changed to LOC (joint letter) | Pharmacists, pharmacy technicians, and pharmacy interns have a right to counsel during a hearing currently, but not during the investigation. Md. Code Ann., Health Occ., §§ 12-315(d) , 12-6B-09 , 12-6D-11 . | |
| SB0111 | Occupational Licenses or Certificates - Pre-application Determinations - Criminal Convictions | Senator Cory McCray | Synopsis not available currently. | EOL (impact) and FEW (\$10K) submitted to OGA on 01/04/2022. | PHARM – NP | The Board anticipates that establishing a process for potential applicants for an occupational license to obtain a determination from the Board as to whether certain criminal convictions would be the basis for the denial of an application for a certain occupational license would cause an operational and fiscal impact. The Board would need to alter the method of processing applications to include a pre-application determination for criminal convictions. The Board would require a part-time employee to review a pre-application, make a determination, and issue a written explanation to a potential applicant. | |

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| SB0144 | Health - Authorization to Prescribe and Administer Amygdalin - Repeal | Senator Brian Feldman | Synopsis not available currently. | EOL (no impact) submitted to OGA on 01/04/2022. | PHARM – NP | <p>Amygdalin is not approved for use in the United States currently.</p> <p>The Food and Drug Administration has banned the sale and use of amygdalin (Laetrile®) due to the risk of cyanide poisoning. For this reason, Laetrile® is only offered at alternative medicine clinics outside the United States. Laetrile is made in Mexico. The way that laetrile is made is not regulated by the FDA, so batches of laetrile may vary in purity and contents. Some clinics use it as a component of multi-modality metabolic therapies, but these therapies generally have not been found effective.</p> | |
| SB0159 | Health Occupations – Authorized Prescribers – Reporting of Financial Gratuities or Incentives | Senators Delores Kelley, Pamela Beidle, Joanne Benson, Jill Carter, Brian Feldman, Guy Guzzone, Charles Sydnor, and | Synopsis not available currently. | EOL (impact) and FEW (\$7.9K) submitted to OGA on 01/05/2022. | PHARM – NP | <p>The Board will require additional staff members, equipment, or capital to create and maintain a file of pharmacists that receive a financial gratuity or incentive from a pharmaceutical distributor or manufacturer.</p> <p>The Board does not currently collect this type of information and would need to implement a new system to solicit, receive, and maintain a database of financial disclosures. Due to the nature of the disclosures,</p> | |

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| | | Jeff Waldstreicher | | | | <p>access to the database would need to be secured and limited to select individuals.</p> <p>The Board would likely need to expand the responsibilities of a current staff member and purchase new software to implement this legislation.</p> | |
| HB260 | State Board of Physicians – Dispensing Permits | <p>Delegate Carr</p> <p>Committee Health & Gov. Ops</p> | Transferring oversight of the inspection of the offices of dispensing physicians from the Office of Controlled Substances Administration to the State Board of Physicians; and altering the circumstances under which a physician may dispense drugs, devices, or topical medications. | | PHARM – | <p>Objective:</p> <ol style="list-style-type: none"> 1) if they have a permit from BOP/OSCA, allow physicians to personally prepare and dispense prescription 2) allows a physician to dispense 72 hours of a starter dose 3) introduced a physician “topical medication permit” 4) BOP conducts inspections of offices that have a BOP-issued dispensing permit 5) OSCA will no longer have any inspection right, but they will receive an inspection report only if a violation is discovered. <p>Pharmacy statutes that are amended: Health Occ., §§ 12-102, 12-102.1, 12-102.2.</p> | Jan. 25 |
| HB0229 | Pharmacists – Administration of | <p>Senators K. Young</p> <p>Belcastro</p> | Altering the definition of "maintenance injectable | | PHARM – | Note: The Committee discussed the cross-filed bill last week. It has identical language. | |

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| -cross-filled with SB19 | Maintenance Injectable Medications – Treatment of Sexually Transmitted Infections | Forbes Healey McComas Reznik Ruth Committee Health & Gov. Ops | medication" for the purposes of provisions of law governing the administration of maintenance injectable medications by pharmacists to include a medication that treats a sexually transmitted infection and is not a vaccine. | | | Objective: change the definition of "maintenance injectable medication" to include a sexually transmitted infection. | |
| HB0235 | Open Meetings Act – Definition – Administrative Function | Delegates Carr Lehman Committee Health & Gov. Ops | Excluding the administration of certain personnel matters from the definition of "administrative function" as it relates to the Open Meetings Act. | . | PHARM – | Objective: the Board would no longer be required (allowed?) to discuss HR issues of appointees (?), employees, or officials that are directly controlled by the Board. ----- appointments, employments, assignments, promotions, disciplinary actions, demotions, compensation, removal, resignations, or performance evaluations of an appointee, employee, or official over which the Board has direct jurisdiction. | |
| HB0246 | Open Meetings Act – Notices, Closed Sessions, and Minutes – | Delegates: Carr Lehman Committee Health & Gov. Ops | Altering from 1 year to 3 years the period of time a public body is required to retain a certain notice and certain | | PHARM – | Objective: Change the requirement to keep a copy of a meeting notice from 1 year to 3 years after the date of the session. Require the notice to be posted online OR provided on request within 2 business days. | |

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| | Retention Periods, Online Posting, and Public Inspection | | written closing statement under the Open Meetings Act; requiring a public body, to the extent practicable, to post a certain written closing statement online; and requiring a public body, if it does not post certain minutes or recordings or a certain written closing statement online, to provide an electronic copy of the minutes, recordings, or statement on request to a requestor within 2 business days of the request. | | | Require the Board to provide an electronic copy of Board minutes within 2 business days of receiving a request. | |
| SB0230 Cross-filed with HB 112 | Health Occupations - Service Members, Veterans, and Military Spouses - Temporary Licensure, | Senator Jackson Committee Ed., Health, & Enviro. Affairs | Requiring health occupations boards to issue a temporary license, certificate, registration, or permit to a service member, veteran, or military spouse | | PHARM – | Note: The Committee discussed the cross-filed bill last week. It has identical language. Objective: Create a new class of temporary licensees for a service member and their spouse. | |

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| | Certification, Registration, and Permitting | | who meets certain requirements; and prohibiting a health occupations board from issuing a certain temporary license, certificate, registration, or permit if the issuance would pose a risk to public health, welfare, or safety. | | | HB 225 Veterans Full Employment Act of 2013 is current law and accomplishes the intention of the proposed legislation. | |
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Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

Board of Morticians and Funeral Directors
4201 Patterson Avenue
Baltimore, MD 21215

[DATE]

The Honorable Paul G. Pinsky and committee members
Chair, Education, Health, and Environmental Affairs Committee
2 West Miller Senate Office Building
11 Bladen Street
Annapolis, MD 21401

RE: SB 77- Health Occupations Boards – Investigations – Right to Counsel – Letter of Concern

Dear Chair Pinsky:

The Maryland State Board of Morticians and Funeral Directors (the “Board”) is submitting this Letter of Concern for SB 77 – Health Occupations Boards – Investigations – Right to Counsel.

While the bill does have the positive intent to allow licensees to use private counsel during the course of an investigation into possible violations of the Maryland Morticians and Funeral Directors Act, Md. Code Ann., Health Occ. § 7-101, *et seq.*, there are the following concerns from several health occupations boards that encompass legal, administrative, and public protection matters:

1. On page 1, lines 16-20 regarding § 1-610(1): Providing for representation by counsel of a licensee of certificate holder during an investigation that may result in charges or sanctions.

The Board is concerned that the bill applies only to licensees and certificate holders. Health occupations boards also issue registrations and permits.

The Board is also concerned that the bill is overly broad and has the potential to impede the Board’s completion of its statutory duty to protect the public through lawful investigation of complaints. The Board supports the opportunity for licensees to engage and consult with their own counsel during all stages of an investigation and permits licensees to have their counsel accompany them during interviews. The bill does not clarify what representation during an investigation would involve. Every complaint filed with the Board could potentially result in charges, but the vast majority of complaints are closed during the preliminary investigation and do not reach the interview stage. The Board already has a statutory provision for a licensee to be represented by counsel at the hearing regarding disciplinary action. Md. Code Ann., Health Occ. § 7-319(c). The Board’s regulations also provide that “[a]ll parties [appearing at formal hearings] shall have the right to be accompanied, represented and advised by counsel.” COMAR 10.29.01.03. This bill would expand that right to investigations that “may result in charges or sanctions.”

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SB 77 – Letter of Concern
MSBMFD

The Board is concerned that the bill contains no provision for addressing counsel who become disruptive or obstructive or who otherwise interfere with the investigative process. Board interviews support the Board's fact-finding missions and allow the Board to properly investigate complaints and determine whether further action by the Board is necessary. Interviews occur prior to any charges being filed, and in the majority of cases, no charges are filed as a result of these investigations. These interviews, however, are a vital part of the Board's investigative process, so disrupting, obstructing, or interfering with that process could jeopardize the health, safety, and welfare of Maryland's citizens.

The Board has concerns that retained counsel will use the language in the bill to dictate to the Board as to when and how the Board can conduct its interviews. Board interviews are not depositions and there is no legal process for a court to rule on counsel's objections in an interview, as in a deposition.

2. On page 1, line 22, continued to page 2, lines 1-2 regarding § 1-610(2): Providing for attendance by counsel at any interview of a licensee by or on behalf of a board during an investigation.

The Board is concerned that there is no definition or clarification as to what constitutes an interview of the licensee or certificate holder. During the course of an investigation, Board investigators typically communicate with a licensee on numerous occasions, from providing initial notice that a complaint has been filed to performing unscheduled site inspections. The Board is concerned that some licensees will attempt to delay or halt the investigative process by claiming that any communication from the Board constitutes an interview and then refuse to talk to the Board without the presence of counsel.

To clarify the intended scope of this bill and avoid unintended consequences, it is imperative that the bill exclude the Board's statutorily-authorized inspection program. Such inspections are generally routine, but may arguably result in charges depending on the severity of violations at the establishment. The Board must perform on-site inspections as a key component to ensuring the safe operation of establishments in providing healthcare services. If a licensee is able to stall or thwart an inspection because an attorney is not available to appear onsite, the Board's inspection program will be severely undermined at the expense of public safety.

For these reasons, the Maryland State Board of Morticians and Funeral Directors; the State Board of Social Work Examiners; the State Board of Examiners in Optometry; the State Board for the Certification of Residential Child Care Program Professionals; the State Board of Massage Therapy Examiners; the State Board of Chiropractic Examiners; the State Board of Physical Therapy Examiners; the State Board of Pharmacy; the State Acupuncture Board; the State Board of Examiners for Audiologists, Hearing Aid Dispensers, Speech-Language Pathologists and Music Therapists; the State Board of Examiners of

Page 3

SB 77 – Letter of Concern
MSBMFD

Psychologists; the State Board of Examiners of Nursing Home Administrators; and the State Board of Environmental Health Specialists respectfully ask that you strongly consider this information and agree that the processes currently in place are more than sufficient to address the issues in the bill. Therefore, the boards urge an unfavorable report on SB 77.

For more information, please contact Christy Collins, Executive Director, Board State Board of Morticians and Funeral Directors at (410) 764-4714 or christy.collins@maryland.gov or, Lillian Reese, Legislative Coordinator for Boards & Commissions, at 443-794-4757 or lillian.reese@maryland.gov.

Sincerely,



Mark Bailey, Ed.D
Board Chair
Maryland Board Morticians and Funeral Directors

The opinion of the Boards expressed in this document do not necessarily reflect that of the Department of Health or the Administration.



STATE OF MARYLAND

Department of Health

Lawrence J. Hogan, Governor – Boyd K. Rutherford, Lt. Governor – Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, Board President – Deena Speights-Napata, Executive Director

January 18, 2022

The Honorable Paul G. Pinsky, Chairman
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, Suite 2 West
11 Bladen Street
Annapolis, MD 21401

RE: Senate Bill 62 – Pharmacists – Aids for the Cessation of Tobacco Product Use – Letter of Concern

Dear Chairman Pinsky and Committee Members:

The Maryland Board of Pharmacy (the “Board”) is submitting this letter of concern for Senate Bill (SB) 62 – Pharmacists – Aids for the Cessation of Tobacco Product Use.

SB 62 would expand the definition of “practice pharmacy” to include “prescribing and dispensing nicotine replacement therapy medications approved by the U.S. Food and Drug Administration (FDA) as an aid for the cessation of the use of tobacco products.” The Board would be required to promulgate regulations establishing standard procedures that a pharmacist must follow to prescribe and dispense aids for the cessation of tobacco products.

After reviewing the text of SB 62, the Board has concern regarding the ambiguity of the scope. The Board is unclear as to whether the “tobacco replacement product” includes all smoking cessation products or only nicotine replacement products. The Board submits that SB 62 should be amended to define “tobacco replacement product” specifically.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact me at deena.speights-napata@maryland.gov / (410) 764-4753.

Sincerely,

Deena Speights-Napata, MA
Executive Director

Jennifer L. Hardesty,
PharmD, FASCP
President



STATE OF MARYLAND

Department of Health

Lawrence J. Hogan, Governor – Boyd K. Rutherford, Lt. Governor – Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, Board President – Deena Speights-Napata, Executive Director

January 18, 2022

The Honorable Shane E. Pendergrass, Chairwoman
Health and Government Operations Committee
241 House Office Building
Annapolis, MD 21401-1991

RE: House Bill 28 – Pharmacists – Aids for the Cessation of Tobacco Product Use – Letter of Concern

Dear Chairwoman Pendergrass and Committee Members:

The Maryland Board of Pharmacy (the “Board”) is submitting this letter of concern for House Bill (HB) 28 – Pharmacists – Aids for the Cessation of Tobacco Product Use.

After reviewing the text of HB 28, the Board has concern regarding the ambiguity of the scope. The Board is unclear as to whether the “tobacco replacement product” includes all smoking cessation products or only nicotine replacement products. The Board submits that HB 28 should be amended to define “tobacco replacement product” specifically.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact me at deena.speights-napata@maryland.gov / (410) 764-4753.

Sincerely,

Deena Speights-Napata, MA
Executive Director

Jennifer L. Hardesty,
PharmD, FASCP
President



STATE OF MARYLAND

Department of Health

Lawrence J. Hogan, Governor – Boyd K. Rutherford, Lt. Governor – Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, Board President – Deena Speights-Napata, Executive Director

January 18, 2022

The Honorable Shane E. Pendergrass, Chairwoman
Health and Government Operations Committee
241 House Office Building
Annapolis, MD 21401-1991

RE: House Bill 112 – Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, Registration, and Permitting – Letter of Information

Dear Chairwoman Pendergrass and Committee Members:

The Maryland Board of Pharmacy (the “Board”) is submitting this letter of information for House Bill (HB) 112 – Health Occupations – Service Members, Veterans, and Military Spouses – Temporary Licensure, Certification, Registration, and Permitting.

HB 112 would require the Board to create a new class of expedited temporary (valid for six months after issuance) license, registration, and permit for a service member, veteran, or military spouse. The temporary license, registration, or permit requires (1) proof of an application for full licensure, certification, registration, or permitting and (2) would expire six months after issuance. HB 112 would allow a service member, veteran, or military spouse to practice pharmacy while they complete the requirements for licensure, certification, registration, or permitting in the Maryland.

The Board’s current licensure, registration, and permitting process is completed within one week if a complete application is received. Currently, the Board does not issue a temporary license, registration, or permit to any applicant. Creating and issuing temporary licenses, registrations, and permits would be a huge administrative burden to the Board.

Additionally, House Bill 225 Veterans Full Employment Act of 2013 requires all Health Occupations Boards to expedite the licensing process for veterans, military spouses, and active-duty services members. *See* Md. Code Ann., Health Occ., §§ 1-701 – 706. The Board is

in full compliance with HB 225 and has posted an informational notice on its website regarding the law. The Board provides application assistance to covered persons that submit a request.

The Board supports full employment of veterans; however, creating a new class of expedited temporary permits would not provide substantial benefits to covered persons and would create administrative burdens for the Board.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact me at deena.speights-napata@maryland.gov / (410) 764-4753.

Sincerely,

Deena Speights-Napata, MA
Executive Director

Jennifer L. Hardesty,
PharmD, FASCP
President



STATE OF MARYLAND

Department of Health

Lawrence J. Hogan, Governor – Boyd K. Rutherford, Lt. Governor – Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

Jennifer L. Hardesty, Board President – Deena Speights-Napata, Executive Director

January 18, 2022

The Honorable Paul G. Pinsky, Chairman
Senate Education, Health, and Environmental Affairs Committee
Miller Senate Office Building, Suite 2 West
11 Bladen Street
Annapolis, MD 21401

RE: Senate Bill 19 – Pharmacists – Administration of Maintenance Injectable Medications – Treatment of Sexually Transmitted Infections – Letter of Support

Dear Chairman Pinsky and Committee Members:

The Maryland Board of Pharmacy (the “Board”) is submitting this letter of support for Senate Bill (SB) 19 – Pharmacists – Administration of Maintenance Injectable Medications – Treatment of Sexually Transmitted Infections.

SB 19 would amend the definition of “maintenance injectable medication” to specifically include a medication that “treats a sexually transmitted infection and is not a vaccine.”

The Board supports the appropriate expansion of the practice of pharmacy and recognizes the importance of increasing access to treatment for Marylanders.

I hope this information is useful. If you would like to discuss this further, please do not hesitate to contact me at deena.speights-napata@maryland.gov / (410) 764-4753.

Sincerely,

Deena Speights-Napata, MA

Jennifer L. Hardesty,

Executive Director

PharmD, FASCP
President

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| <p>III. Committee Reports</p> <p>A. Practice Committee</p> | <p>Evans, K. Commissioner</p> | <p><u>DTM</u></p> <p>Kierra Dotson has met the requirements for participation in a drug therapy management contract (infectious disease pharmacotherapy).</p> <p>Mackenzie Hrubey has met the requirements for participation in a drug therapy management contract (ambulatory care).</p> <p>Sheldon Wolfson has met the requirements for participation in a drug therapy management contract and has been approved to provide pharmaceutical services pursuant to Frederick Health's Anticoagulation Therapy protocol.</p> <p>Grace Finney has approved as an authorized prescriber and to provide services as a certified registered nurse practitioner pursuant to Frederick Health's Anticoagulation Therapy protocol.</p> <p>Frederick Health has been approved to initiate its Anticoagulation Therapy protocol at a new address: Frederick Health Liberty, 194 Thomas Johnson Drive, Frederick MD, 21702.</p> | |
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QUESTIONS

Question 1. Kaiser Permanente Mid-Atlantic States
RECUSED: Commissioners Fink and Bouyoukas

The Algorithm for Maryland Pharmacy Prescribing of Contraceptives includes line item 12 – “Take and document patient’s BP...” as well a section titled “Pharmacy Internal Use Only” where the patient’s pulse and weight must also be documented.

If the pharmacy completing this algorithm shares an electronic medical record with other healthcare providers and records indicate the patient’s BP, pulse, and weight have been taken recently, must the pharmacist take the patient’s BP, pulse, and weight again?

If no, how recent must the patient’s BP, pulse and weight have been taken to satisfy this portion of the algorithm?

Answer 1. The Board would interpret vital signs collected by a healthcare provider within the 24-hour period that precedes the prescribing of a contraceptive and documented in an electronic medical record that is shared with the prescribing pharmacist to satisfy the regulatory requirement for documentation in the Algorithm.

Question 2. K. Wolfe

[A medical practice is] in the process of transferring to managing our own ACO via the MDPCP program. As such, we are in the process of researching guidance for hiring an Ambulatory Care Clinical Pharmacist to assist with transition of care management, polypharmacy, and disease management for our patient population. Also, we are interested in recruiting a pharmacist that would be able to recommend generic drugs to assist with cost effectiveness.

[Does] the...Board...have any recommendations in recruiting an independent pharmacist? Having a MD license is a bare minimum, but we would also like to have additional certification such as ambulatory care or geriatric certifications. Do you have any other recommendations or resources that we should consider in recruiting a pharmacist with this scope?

Answer 2. The Maryland Board of Pharmacy does not provide recruitment advice. A review of the requirements for a pharmacist to participate in a drug therapy management contract that are listed in COMAR 10.34.29.04 may be helpful when making recruiting decisions.

Question 3. S. Donoway.

We are going to be working with a specialty pharmacy for our cataract patient's eye drops (OPDrop PMB (Prednisolone Sodium Phosphate 1%/Moxifloxacin 0.5%/Bromfenac 0.075%) compounded in one bottle) that will be used after surgery. Our surgeons will be sending the prescription via e-script to the pharmacy. The pharmacy will then contact the patient for payment and the drops will be mailed. Due to the large number of patients that lose their drops or otherwise, show up without them, we would like to have the pharmacy mail the drops to our facility to be given to the patient the morning of surgery. Our facility, and all three surgeons, are licensed appropriately, including their CDS and DEA. Is this allowable? I can't seem to find information that applies specifically to this situation. If this is not allowed, what would be the procedure we would need to follow in order to have the drops mailed to us?

Answer 3. Provided that the eye drops are dispensed pursuant to a valid prescription, the prescription is patient-specific, and the regulations in COMAR 10.34.25 are followed, this practice is not prohibited.

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| B. Licensing Committee | K. Rusinko, Chair | | |
| C. Public Relations Committee | E. Yankellow, Chair | Public Relations Committee Update: | |
| D. Disciplinary | J. Hardesty, Chair | Disciplinary Committee Update | |
| E. Emergency Preparedness Task Force | N. Leikach, Chair | Emergency Preparedness Task Force Update | |
| IV. Other Business & FYI | J. Hardesty, President | | |
| V. Adjournment | J. Hardesty, President | A. The Public Meeting was adjourned. B. J. Hardesty convened a Closed Public Session to conduct a medical review committee evaluation of confidential applications. | |

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| | | <p>C. The Closed Public Session was adjourned. Immediately thereafter, K. Morgan convened an Administrative Session for purposes of discussing confidential disciplinary cases.</p> <p>D. With the exception of cases requiring recusals, the Board members present at the Public Meeting continued to participate in the Closed Public Session and the Administrative Session.</p> | |
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